Serial No.: 10/663,926 Confirmation No.: 2299 Filed: September 16, 2003

For: COMPOUNDS CONTAINING QUATERNARY CARBONS AND SILICON-CONTAINING GROUPS,

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Amendments to the Claims

This listing of claims replaces all prior versions, and listings, of claims in the aboveidentified application:

1. (Currently Amended) A medical device comprising a <u>segmented</u> polymer <u>comprising a</u> <u>soft segment</u> comprising a group of the formula:

$$-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q$$

wherein:

n = 0 or 1; m = 0 or 1; p = 1-100,000; r = 0-100,000; s = 1-100,000; q = 1-100,000;

R¹ and R² are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms; and

V is
$$-O-Si(R)_2$$
- or R^1 :

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- 2. (Original) The medical device of claim 1 wherein p = 1-5000.
- 3. (Original) The medical device of claim 2 wherein p = 2-12.
- 4. (Original) The medical device of claim 1 wherein R¹ and R² are each independently a straight chain alkylene group, an arylene group, or combinations thereof.
- 5. (Original) The medical device of claim 4 wherein R¹ and R² are each independently a straight chain alkylene group.
- 6. (Original) The medical device of claim 1 wherein R¹ and R² are each independently groups containing up to 100 carbon atoms.
- 7. (Original) The medical device of claim 6 wherein R¹ and R² are each independently groups containing up to 20 carbon atoms.
- 8. (Original) The medical device of claim 7 wherein R¹ and R² are each independently groups containing 2 to 20 carbon atoms.
- 9. **(Original)** The medical device of claim 1 wherein each R³ is independently a straight chain alkyl group, an aryl group, or combinations thereof, optionally including heteroatoms.
- 10. (Original) The medical device of claim 9 wherein each R³ is independently a straight chain alkyl group, optionally including heteroatoms.

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- 11. (Original) The medical device of claim 10 wherein each R³ is independently a straight chain alkyl group containing 1 to 20 carbon atoms.
- 12. **(Original)** The medical device of claim 1 wherein the polymer further comprises a urethane group, a urea group, or combinations thereof.
- 13. (Original) The medical device of claim 12 wherein the polymer comprises a segmented polyurethane.
- 14. (Original) The medical device of claim 1 wherein the polymer is a biomaterial.
- 15. (Original) The medical device of claim 14 wherein the polymer is substantially free of ether, ester, and carbonate linkages.
- 16. (Original) The medical device of claim 1 wherein the polymer is linear, branched, or crosslinked.
- 17. (Currently Amended) A medical device comprising a <u>segmented</u> polymer <u>comprising a soft segment</u> prepared from a compound of the formula:

$$Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$$

wherein:

each Y is independently OH or NR⁴H;

s = 1-100,000;

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q = 1-100,000;

R¹, R², and R⁵ are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

each R⁴ is independently H or a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof; and

V is
$$-O-Si(R)_2$$
- or R^1 :

- 18. (Original) The medical device of claim 17 wherein p = 1-100.
- 19. (Original) The medical device of claim 18 wherein p = 2-12.
- 20. (Original) The medical device of claim 17 wherein the number average molecular weight of the compound of the formula $Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$ is no greater than about 100,000 grams/mole.
- 21. (Original) The medical device of claim 20 wherein the number average molecular weight of the compound of the formula $Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$ is about 1000 grams/mole to about 1500 grams/mole.
- 22. (Original) The medical device of claim 17 wherein R¹ and R² are each independently a straight chain alkylene group, an arylene group, or combinations thereof.

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- 23. (Original) The medical device of claim 22 wherein R¹ and R² are each independently a straight chain alkylene group.
- 24. (Original) The medical device of claim 17 wherein R¹ and R² are each independently groups containing up to 100 carbon atoms.
- 25. (Original) The medical device of claim 24 wherein R¹ and R² are each independently groups containing up to 20 carbon atoms.
- 26. (Original) The medical device of claim 25 wherein R¹ and R² are each independently groups containing 2 to 20 carbon atoms.
- 27. (Original) The medical device of claim 17 wherein each R² includes at least two carbon atoms.
- 28. (Original) The medical device of claim 17 wherein each R³ is independently a straight chain alkyl group, an aryl group, or combinations thereof, optionally including heteroatoms.
- 29. (Original) The medical device of claim 28 wherein each R³ is independently a straight chain alkyl group, optionally including heteroatoms.
- 30. (Original) The medical device of claim 29 wherein each R³ is independently a straight chain alkyl group containing 1 to 20 carbon atoms.

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- 31. (Original) The medical device of claim 17 wherein the polymer further comprises a urethane group, a urea group, or combinations thereof.
- 32. (Original) The medical device of claim 31 wherein the polymer comprises a segmented polyurethane.
- 33. (Original) The medical device of claim 17 wherein the polymer is a biomaterial.
- 34. (Original) The medical device of claim 33 wherein the polymer is substantially free of ether, ester, and carbonate linkages.
- 35. (Original) The medical device of claim 17 wherein each Y is OH.
- 36. (Original) The medical device of claim 17 wherein each R⁴ is independently H or a straight chain alkyl group.
- 37. (Original) The medical device of claim 36 wherein each R⁴ is independently a straight chain alkyl group containing 1 to 20 carbon atoms.
- 38. (Original) The medical device of claim 36 wherein each R⁴ is H.
- 39. (Original) The medical device of claim 17 wherein the polymer is linear, branched, or crosslinked.
- 40. (Currently Amended) A <u>segmented</u> polymer comprising <u>a soft segment comprising</u> a group of the formula:

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$$-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q$$

wherein:

R¹ and R² are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms; and

V is
$$-O-Si(R)_2$$
- or R^1 :

- 41. (Original) The polymer of claim 40 wherein p = 1-5000.
- 42. (Original) The polymer of claim 40 wherein p = 2-12.
- 43. (Original) The polymer of claim 40 wherein R¹ and R² are each independently a straight chain alkylene group, an arylene group, or combinations thereof.

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- 44. (Original) The polymer of claim 43 wherein R¹ and R² are each independently a straight chain alkylene group.
- 45. (Original) The polymer of claim 40 wherein R¹ and R² are each independently groups containing 2 to 20 carbon atoms.
- 46. (Original) The polymer of claim 40 wherein each R³ is independently a straight chain alkyl group, an aryl group, or combinations thereof, optionally including heteroatoms.
- 47. (Original) The polymer of claim 46 wherein each R³ is independently a straight chain alkyl group, optionally including heteroatoms.
- 48. (Original) The polymer of claim 47 wherein each R³ is independently a straight chain alkyl group containing 1 to 20 carbon atoms.
- 49. (Original) The polymer of claim 40 which is linear, branched, or crosslinked.
- 50. (Currently Amended) A <u>segmented</u> polymer comprising a urethane group, a urea group, or combinations thereof, and <u>a soft segment comprising</u> a group of the formula:

$$-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q$$

wherein:

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s = 1-100,000;

q = 1-100,000;

R¹ and R² are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms; and

V is $-O-Si(R)_2$ - or R^1 :

- 51. (Original) The polymer of claim 50 wherein p = 1-100.
- 52. (Original) The polymer of claim 51 wherein p = 2-12.
- 53. (Original) The polymer of claim 50 which is a segmented polyurethane.
- 54. (Original) The polymer of claim 50 which is a biomaterial.
- 55. (Original) The polymer of claim 54 which is substantially free of ether, ester, and carbonate linkages.
- 56. (Original) The polymer of claim 50 which is linear, branched, or crosslinked.
- 57. (Currently Amended) A <u>segmented</u> polymer <u>comprising a soft segment</u> prepared from a compound of the formula:

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$$Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$$

wherein:

each Y is independently OH or NR⁴H;

n = 0 or 1; m = 0 or 1; p = 1-100,000; r = 0-100,000; s = 1-100,000; q = 1-100,000;

R¹, R², and R⁵ are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

each R⁴ is independently H or a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof; and

V is
$$-O-Si(R)_2$$
- or R^1 :

- 58. (Original) The polymer of claim 57 wherein p = 1-100.
- 59. (Original) The polymer of claim 58 wherein p = 2-12.

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- 60. (Original) The polymer of claim 57 wherein the number average molecular weight of the compound of the formula $Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$ is no greater than about 100,000 grams/mole.
- 61. (Original) The polymer of claim 57 wherein R¹ and R² are each independently a straight chain alkylene group, an arylene group, or combinations thereof.
- 62. (Original) The polymer of claim 61 wherein R¹ and R² are each independently groups containing up to 100 carbon atoms.
- 63. (Original) The polymer of claim 62 wherein R¹ and R² are each independently groups containing up to 20 carbon atoms.
- 64. (Original) The polymer of claim 63 wherein R¹ and R² are each independently groups containing 2 to 20 carbon atoms.
- 65. (Original) The polymer of claim 57 wherein each R² includes at least two carbon atoms.
- 66. (Original) The polymer of claim 57 wherein each R³ is independently a straight chain alkyl group, an aryl group, or combinations thereof, optionally including heteroatoms.
- 67. (Original) The polymer of claim 66 wherein each R³ is independently a straight chain alkyl group containing 1 to 20 carbon atoms.
- 68. (Original) The polymer of claim 57 wherein each Y is OH.

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- 69. (Original) The polymer of claim 57 wherein each R⁴ is independently H or a straight chain alkyl group.
- 70. (Original) The polymer of claim 57 which is linear, branched, or crosslinked.

71-75. (Cancelled)

76. (Currently Amended) A method of making a <u>segmented</u> polymer comprising <u>a soft</u> segment comprising a group of the formula

$$-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q$$

the method comprising combining an organic compound containing two or more groups capable of reacting with hydroxyl or amine groups with a polymeric starting compound of the formula:

$$Y-[-(R^1)_n-(-Z-(R^2)_m-)_p-(-Si(R)_2-V_r-)_s-]_q-R^5-Y$$

wherein:

each Y is independently OH or NR⁴H;

n = 0 or 1;

m = 0 or 1;

p = 1-100,000;

r = 0-100,000;

s = 1-100,000;

q = 1-100,000;

R¹, R², and R⁵ are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

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Z is $-C(R^3)_2$ - wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ - can be optionally joined to form a ring;

each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

each R⁴ is independently H or a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof; and

V is
$$-O-Si(R)_2$$
- or R^1 ;

with the proviso that the polymer is substantially free of carbonate linkages.

77. (Withdrawn and Currently Amended) [[A]] The method of claim 76 wherein the polymeric starting compound is prepared by a making a compound of the formula:

$$Y = [-(R^{\dagger})_{n} - (-Z - (R^{2})_{m} -)_{p} - (-Si(R)_{2} - V_{r} -)_{s} -]_{q} - R^{5} - Y$$

wherein:

each Y is independently OH or NR^4H ; n = 0 or 1; m = 0 or 1; p = 1-100,000; r = 0-100,000; s = 1-100,000; q = 1-100,000;

R[†], R², and R⁵ are each independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

Z is $-C(R^3)_2$ -wherein each R^3 is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms, wherein the two R^3 groups within $-C(R^3)_2$ -can be optionally joined to form a ring;

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each R is independently a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof, optionally including heteroatoms;

each R⁴ is independently H or a saturated or unsaturated aliphatic group, an aromatic group, or combinations thereof; and

$$\forall$$
 is $-\Theta$ -Si(R)₂-or R[†];

the method comprising combining monomers of Formula II or Formula III

$$R^{10}HC=CH-(R^{11})_{r}$$
-(-Si(R)₂-V_r-)_s-(R¹²)_s-CH=CHR¹³ (II)

$$R^{10}HC=CH-(R^{11})_{r}-Z-(R^{12})_{s}-CH=CHR^{13}$$
 (III)

wherein:

r, s, V, Z, and R are as defined above;

r' = 0 or 1;

s' = 0 or 1;

R¹⁰ and R¹³ are each independently hydrogen or straight chain, branched, or cyclic alkyl groups containing up to 6 carbon atoms; and

R¹¹ and R¹² are each independently a saturated aliphatic group, an aromatic group, or combinations thereof;

with an alkene metathesis catalyst and optionally applying a vacuum.